

M.E.

Attorney Docket No.: 00971-00007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE MATTER OF

TRADEMARK : ALL WEATHER
APPLICANT : Old World Industries, Inc.
APPLN. SERIAL NO. : 76/256,523
FILING DATE : May 14, 2001
OFFICE ACTION DATE : December 24, 2002
EXAMINER : Shaunia P. Wallace
(Law Office 107)

**SUPPLEMENTAL RESPONSE TO OFFICE ACTION AND
AMENDMENT TO SUPPLEMENTAL REGISTER**

Assistant Commissioner for Trademarks
BOX RESPONSES FEE
2900 Crystal Drive
Arlington, Virginia 22502-3513

Dear Sirs:

This submission is filed in response to the Examiner's Office Action of December 24, 2002.

Amendments

Amendment To Allege Use

Applicant submits its Amendment to Allege Use under 37 CFR §2.76. A signed amendment to allege use and supporting specimen are attached with a check for \$100.00 to cover the filing fee for this amendment. Please charge any shortfall, excess or missing fees to Deposit Account No. 16-0650.

Amendment To Supplemental Register

Applicant amends its application to seek registration on the Supplemental Register

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, Attn: BOX RESPONSES FEE, 2900 Crystal Drive, Arlington, Virginia 22502-3513 on January 17, 2003.

Shelia Carter

CONCLUSION

For the foregoing reasons, Applicant requests that the Examiner approve this application for registration on the Supplemental Register.

Respectfully submitted,

PATTISHALL, McAULIFFE, NEWBURY,
HILLIARD & GERALDSON

By: 

David C. Hilliard
Sanjiv D. Sarwate
311 South Wacker Drive
Suite 5000
Chicago, Illinois 60606
(312) 554-8000

Attorneys for Applicant, Old World Industries, Inc.

RECEIVED JAN 30 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Old World Industries, Inc.

Mark: ALL WEATHER

Serial No.: 76/256,523

Filing Date: May 14, 2001

BOX ITU FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

AMENDMENT TO ALLEGE USE UNDER 37 C.F.R. 2.76

Old World Industries, Inc. requests registration of the above-identified trademark in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. 1051 et. seq., as amended).

Applicant is using the mark in commerce on or in connection with the following goods:

Automotive windshield cleaning fluids

The trademark was first used on the goods on or about August 2001; was first used in interstate commerce on or about August 2001; and is now in use in such commerce.

The mark is used by affixing labels to, or printing the mark on, containers bearing the goods and in other ways customary to the trade. One specimen showing the mark as actually used is submitted with this Amendment.

To date this mark has not been approved for publication for opposition in the Official Gazette.

01/27/2003 SWILSON 00000042 76256523

01 FC:6002

100.00 DP

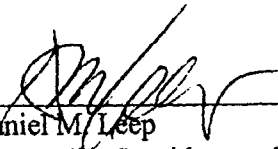
DECLARATION

The undersigned being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 128 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he is properly authorized to execute this Amendment to Allege Use on behalf of the applicant; the trademark was first used in anywhere on or about August 2001; and was first used in interstate commerce on or about August 2001 and is now in use in such commerce in connection in relation to automotive windshield cleaning fluids in International Class 1. All statements made of his own knowledge are true and all statements made on information and belief are believed to be true.

OLD WORLD INDUSTRIES, INC.

Date: 1-15-03

By: _____


Daniel M. Leep

Senior Vice President and General Counsel

Certificate of Express Mail Under 37 CFR 1.10

Date of Deposit: _____ Express Mail Label Number: _____

I, _____, hereby certify that the document to which this Certificate is Affixed is being deposited with the United States Postal Service as Express Mail, Postage prepaid, in an envelope addressed to: BOX NEW APP FEE, Assistant Commissioner for Trademarks, 2900 Crystal Dr., Arlington, VA 22202-3514 on the date of deposit shown above.

ALL WEATHER



All Season Cleaner & Deicer

Manufactured for Old World Industries, Inc.
Northbrook, Illinois 60062-1851 U.S.A.
Copyright © 2007. All Rights Reserved. Made in U.S.A.

This formula is safe for all automotive paints, metallic trim, rubber trim and seals.

DIRECTIONS:

1. Remove washer reservoir cap
2. Pour fluid into reservoir. Do not dilute
3. Replace cap

INGREDIENTS:

Water (7732-18-5), Methyl Alcohol (67-56-1)

FLAMMABLE: Keep away from heat sources, flames.

DANGER POISON

Contains methyl alcohol. Cannot be made non-poisonous. Use only in a well-ventilated area.

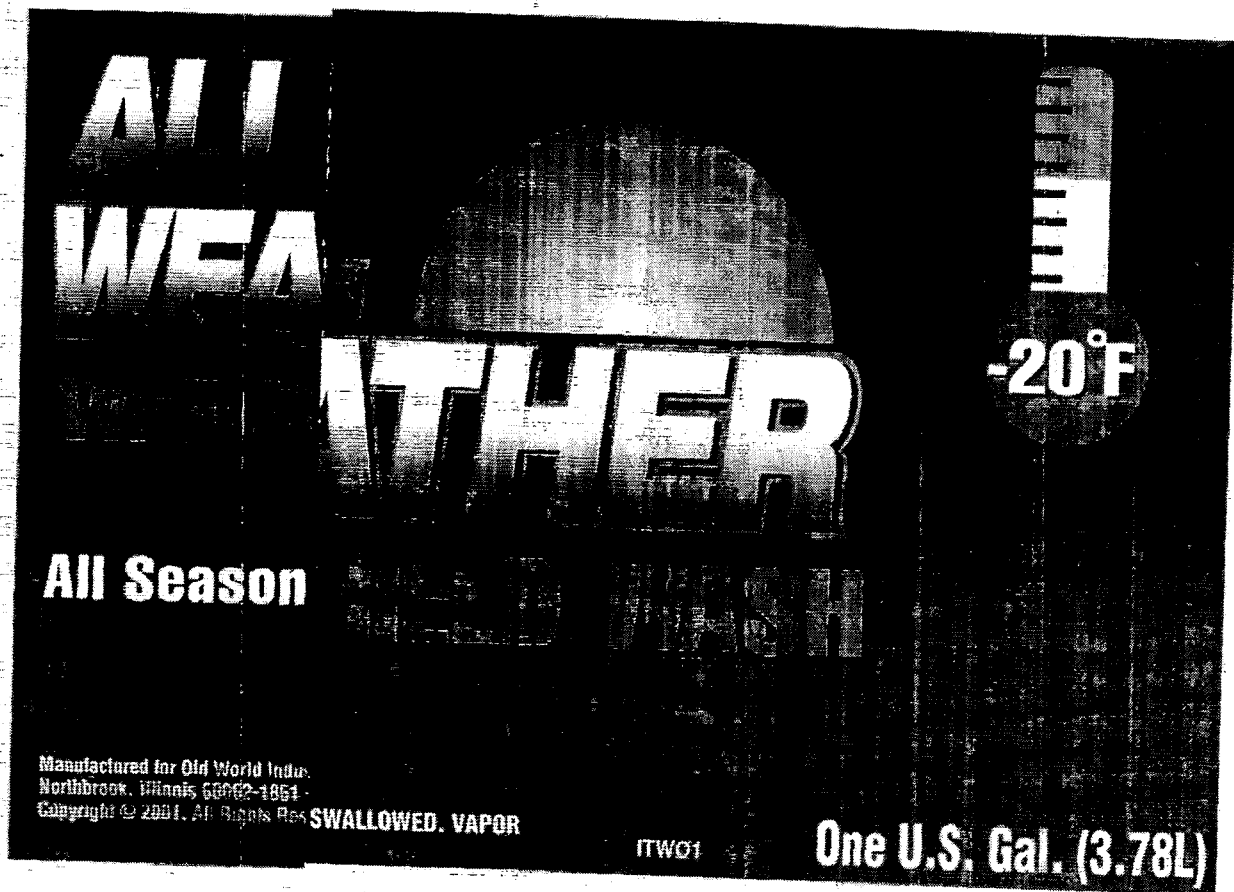
FIRST AID: If swallowed: Give 1 or 2 glasses of water. Call Physician, hospital emergency room, or Poison Control Center immediately. **EYES:** In case of eye contact, flush with water for 15 minutes. Get prompt medical attention.

KEEP OUT OF REACH OF CHILDREN.

FPO

0 74804 00752 7

Mark: ALL WEATHER
Serial No.: 76/256, 523
Filing Date: May 14, 2001
Applicant: Old World Industries, Inc.
Class: 1



SPECIMEN